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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 JABAR HALLY,

11 Petitioner,

No. CIV S-04-0828 DFL CMK P

12 vs.

13 A.K. SCRIBNER, Warden,

14 Respondent.

ORDER

15 _____/
16 On November 4, 2005, petitioner filed a “notice of change of address.” That
17 document was not served on respondent. Petitioner is advised that every document submitted to
18 the court for consideration must be served on respondent. Fed. R. Civ. P. 5; Rule 11, 28 U.S.C. §
19 2254. As a prisoner proceeding pro se, petitioner is required to serve all documents in this action
20 conventionally in accordance with the relevant provisions of Fed. R. Civ. P. 5. See Local Rule 5-
21 135(b). Since an attorney has filed a document with the court on behalf of respondent,
22 documents submitted by petitioner must be served on that attorney and not on the respondent.
23 Fed. R. Civ. P. 5(b)(1). Conventional service is usually accomplished by mailing a copy of the
24 document to the attorney’s address of record. See Fed. R. Civ. P. 5(b)(2)(B). Petitioner must
25 include with every document filed in this action a certificate stating the date an accurate copy of

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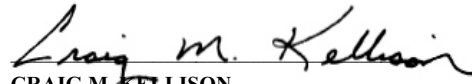
1 the document was mailed to respondent's attorney and the address to which it was mailed. See
2 Local Rule 5-135(b) and (c).

3 Accordingly, IT IS HEREBY ORDERED that:

4 1. Petitioner's November 4, 2005, "notice of change of address" is stricken from
5 the record and will not be considered; and

6 2. Petitioner is ordered to properly serve any documents subsequently filed in this
7 action on respondent's attorney of record. Plaintiff is warned that failure to comply with this
8 order may result in the dismissal of this action. See Local Rule 11-110.

9 DATED: November 18, 2005.

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12 CRAIG M. KELLISON
13 UNITED STATES MAGISTRATE JUDGE
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